

Serial No. 09/882,120



DAE
JFW

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventor(s): J. P. Hearn
K. N. Matthews
C.C. Yu

Case: 1-21-1

Serial No.: 09/608,473

Group Art Unit: 2154

Filed: June 30, 2000

Examiner: B. Barot

Title: MPEG Flow Identification For IP Networks

COMMISSIONER FOR PATENTS

Alexandria, VA 22313-1450

SIR:

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

The above-identified application became abandoned because although applicant's filed a proper reply to the Office Action mailed on May 27, December 2004, which applicants believe, and still believe, explains why all of the claims as presently on file are allowable over the cited prior art, applicant's arguments were not accepted by the Examiner and unfortunately, applicants Notice of Appeal was filed outside of the statutory period for reply.

Applicants hereby petition for the revival of the application abandoned unintentionally under 37 C.F.R. 1.137(b) and in furtherance thereof submits as follows:

- 1) The required reply – Applicants' Notice of Appeal was already filed on February 17, 2005, a copy of which is included herewith. Entry of the Notice of Appeal is respectfully requested. Also attached hereto is applicants' appeal brief. The Commissioner is authorized to charge the appropriate fee for the filing of the appeal brief to the **Lucent Technologies Deposit Account No. 12-2325.**

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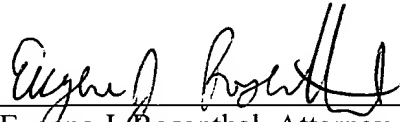
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2) The Petition fee - the Commissioner is authorized to charge the appropriate cost of such petition to the **Lucent Technologies Deposit Account No. 12-2325**.

3) The following statement under 37 C.F.R. 1.137(b)(3) – The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional. Note that applicants were unaware that the status of the application was problematic until a call was received from Examiner Barot in the evening of April 14, 2005 indicating that the USPTO system could not enter applicants' Notice of Appeal. Until that time applicant's believed that the application was not abandoned and that time yet remained to file the appeal brief. Applicants' computer system showed that an appeal brief was due. Several telephone calls as well as the exchange of telephone messages with Examiner Barot took place on at least April 15, 18, 20 and May 6 to explore the status of the application. At the last it was determined that Examiner Barot would eventually issue a Notice of Abandonment, which applicants had to wait for before filing a petition to revive. The Notice of Abandonment eventually filtered through the system to applicants' representative.

4) The Commissioner is authorized to charge any other appropriate fee that may be required, to successfully complete revival of this application, such as any further extension fees, to the **Lucent Technologies Deposit Account No. 12-2325**. Should any other extensions of time be required, they are hereby petitioned for.

Respectfully,

By 
Eugene J. Rosenthal, Attorney
Reg. No. 36,658
732-949-1857

Lucent Technologies Inc.

Date: 6/2/05